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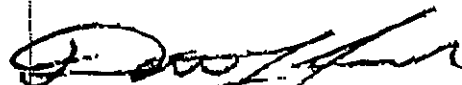
February 24, 1999

Voluntary Agreement Points: Re-Black Cat Nightclub Renewal License #26582-99029P

- Noise:** The Nightclub agrees to sound proof the rear wall of the building where needed. This sound proofing will be done in 30 days.
- Trash:** The Nightclub's dumpster will be policed daily for "missed" trash from the Nightclub. The staff will deposit the "missed" trash in the dumpster within 24 hours. The Nightclub agrees to Post two 18" size signs stating: "NO DUMPING" In addition, the staff will lock the dumpsters when not used.
- Posting:** The Nightclub agrees not to place posting of upcoming performance or current ones on public/private property.
- Persons:** No admittance of intoxicated people into the Nightclub
- Loitering:** The Nightclub agrees to Post two 18" size signs stating "No Loitering" on rear alloy walls of the Nightclub. The Nightclub will discourage panhandling, littering and loitering in the front and rear. Nights that the Nightclub schedules performances, the Nightclub will mark off waiting area in front for the Nightclub for patrons wait for the shows
- Meeting:** The Nightclub's representative agrees to meet with residents, on request, to review problems and find solutions of such problems. If no solutions are imminent, they will bring the problems before ABC Board or the ABC Board's representative to help find solutions.

This voluntary agreement is conditioned that the above are met and enforced during the license.


G. Ronald Renchard
Resident

 PRES
Dante Ferrando
Black Cat Nightclub

**BEFORE
THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD**

In the Matter of :

Circle I Productions, Inc.
t/a Black Cat

Application for a Retailer's License
CN – renewal
at premises
1831 – 14th Street, N.W.
Washington, D.C.

Case No. 26582-99029P

G. Ronald Renchard, Protestant

Dante Ferrando, President, on behalf of Applicant

**BEFORE: Roderic L. Woodson, Esquire, Chair
Vera Abbott, Member
Allen Beach, Member
Ellen Oppen-Weiner, Esquire, Member
Max Salas, Member
Audrey E. Thompson, Member
Joseph Wright, Member**

ORDER ON WITHDRAWN PROTEST

The application, having been protested, came before the Board for public hearing on December 23, 1998, in accordance with D.C. Code Section 25-115(c)(5)(1999 Supp.), providing for the protestants to be heard. G. Ronald Renchard filed a timely protest letter dated December 8, 1998.

The official records of the Board reflect that the parties have now reached an agreement that has been reduced to writing, and has been properly executed and filed with the Board. Pursuant to the agreement dated February 24, 1999, the protestant has agreed to withdraw the opposition, provided however, the Board's approval of the pending application is conditioned upon the licensee's continuing compliance with the terms of the Agreement.

Circle I Productions, Inc.


t/a Black Cat

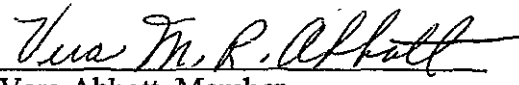
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Accordingly, it is this 13th day of Feb., 1999, **ORDERED** that:

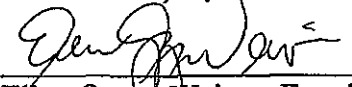
1. The protest of G. Ronald Renchard, be, and the same hereby, is **WITHDRAWN**;
2. The application of Circle I Productions, Inc. t/a Black Cat for a retailer's class CR license (renewal) located at 1831 - 14th Street, N.W., Washington, D.C., be, and the same hereby, is **GRANTED**;
3. The above-referenced agreement between the parties, be, and the same hereby, is **INCORPORATED** as part of this **ORDER**; and,
4. Copies of this Order shall be sent to the Protestant and the Applicant.

District of Columbia
Alcoholic Beverage Control Board

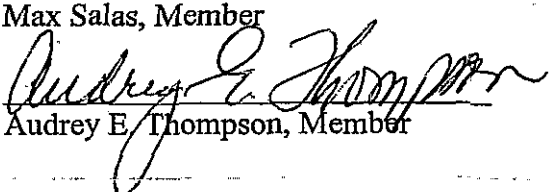

Roderic L. Woodson, Esquire, Chair


Vera Abbott, Member


Allen Beach, Member


Ellen Oppen-Weiner, Esquire, Member

Max Salas, Member


Audrey E. Thompson, Member

Joseph Wright, Member

VOLUNTARY AGREEMENT AND WITHDRAWAL OF SECTION 14(e) PETITION

THIS VOLUNTARY AGREEMENT AND WITHDRAWAL OF SECTION 14(e) PETITION, made and entered into on this 4th day of August, 1995, by and between TOM COUMARIS (hereinafter, "Petitioner"), and CIRCLE I PRODUCTIONS, INC. t/a Black Cat (hereinafter, "Applicant"), a District of Columbia corporation.

WITNESSETH

WHEREAS, On February 24, 1992, Applicant filed an application with the District of Columbia Alcoholic Beverage Control Board ("ABC Board") for issuance of a Class CN Retailer's License for a nightclub known and trading as the Black Cat, at premises at 1831 14th Street, N.W.; and

WHEREAS, On April 27, 1993, Petitioner filed with the Board a petition proposal pursuant to section 14(e) of the District of Columbia Alcoholic Beverage Control Act, D.C. Code section 115(e), seeking to initiate the section 14(e) petition process as to Applicant's application; and

WHEREAS, On June 16, 1993, the Board dismissed Petitioner's section 14(e) petition proposal on Applicant's motion; and

WHEREAS, Petitioner subsequently appealed said dismissal to the District of Columbia Court of Appeals, in *Coumaris v. District of Columbia Alcoholic Beverage Control Board*, Appeal Nos. 94-aa-139 and 94-aa-242 (Consolidated Cases)(the "Appeal"). Applicant intervened in the Appeal on the side of the Board; and

WHEREAS, On June 22, 1995, The District of Columbia Court of Appeals issued a decision in the Appeal, remanding the case to the Board for a further articulation of the Board's reasons for dismissing Coumaris' section 14(e) petition; and for further proceedings consistent with the Court's opinion; and

WHEREAS, in recognition of the ABC Board's policy of encouraging parties to protest proceedings to settle their differences by reaching voluntary agreements, the parties hereto are desirous of entering voluntarily into an agreement whereby, subject to the approval of the ABC Board, Applicant will agree to adopt certain measures to address the Petitioner's concerns, and Protestant will agree to issuance of the ABC license, and withdrawal of his section 14(e) petition.

NOW, THEREFORE, in consideration of the mutual covenants and undertakings memorialized herein, the parties hereby agree as follows:

1. Applicant shall request performers at its nightclub not to post placards on the lamposts on both sides of 14th Street, N.W., between S and T Streets, N.W.

Further, Applicant shall periodically remove from such lampposts any posters placed on them by others, as well as adhesive residue, and shall periodically repaint such portions of said lampposts as may be reached from street level without a ladder with suitable gray exterior-grade paint.

2. Applicant shall place plantings in no less than two treeboxes on public space on 14th Street, N.W., in the vicinity of the nightclub, and shall maintain plantings in said treeboxes and keep the same clean and free of rubbish.


3. Applicant shall permit ANC 1B-01 and 1B-02 Commissioners to enter into the performance and tavern portions of the nightclub on a monthly basis, for the purpose of observing operations and Applicant's compliance with applicable liquor control regulations. Said Commissioners shall give Applicant not less than two hours notice of their intention to enter for such purpose, so that door staff may be alerted and admit them. Said Commissioners shall address any complaints or problems observed to Applicant's management, and any appropriate enforcement authorities, in writing, and agree not to disrupt Applicant's business operations, or interfere with any of the nightclub staff or patrons.

4. Petitioner hereby withdraws his section 14(e) petition proposal and request to initiate the section 14(e) process, and consents to dismissal thereof and to the issuance of the license upon the terms and conditions set forth above.

5. This Agreement shall be effective upon the Board's approval hereof, and dismissal of Petitioner's section 14(e) protest proceeding.

IN WITNESS WHEREOF, the parties place their hands, on the date first written.

APPLICANT


By DANTE FERRANDO, President,
Circle I Productions, Inc.,
duly-authorized

PETITIONER


TOM COUMARIS